

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION**

CASIE JO MCGEE and SARAH ELIZABETH
ADKINS; JUSTIN MURDOCK and WILLIAM
GLAVARIS; and NANCY ELIZABETH
MICHAEL and JANE LOUISE FENTON,
individually and as next friends of A.S.M., a minor
child;

Plaintiffs,

v.

KAREN S. COLE, in her official capacity as
CABEL COUNTY CLERK; and VERA J.
MCCORMICK, in her official capacity as
KANAWHA COUNTY CLERK;

Defendants,

and

STATE of WEST VIRGINIA,

Intervenor-Defendant.

No. 3:13-cv-24068

Hon. Robert Chambers

DECLARATION OF PAUL M. SMITH

I, Paul M. Smith, hereby declare as follows:

1. I am a partner at Jenner & Block LLP ("Jenner") and counsel for Plaintiffs in the above-captioned case. The testimony set forth in this Declaration is based on first-hand knowledge, about which I could and would testify competently in open Court if called upon to do so, and on records contemporaneously generated and kept by my Firm in the ordinary course of its law practice. This Declaration is submitted in support of Plaintiffs' Motion for an Award of Attorneys' Fees and Expenses.

2. Jenner became involved in this litigation in September of 2013 to provide Jenner's unique expertise in litigation advancing the rights of gay and lesbian individuals, as well as its considerable expertise in appellate and Supreme Court practice. Given the challenge of seeking to have several duly-passed state statutes struck down as unconstitutional, Plaintiffs were quite reasonable in seeking the assistance of attorneys located outside of West Virginia who have considerable expertise in civil rights litigation, and, in particular, experience in litigation focused on vindicating the rights of the gay and lesbian community.

3. I chair Jenner's Appellate and Supreme Court practice, and serve as co-chair of Jenner's Media and First Amendment, and Election Law and Redistricting practices. I have argued fifteen cases before the United States Supreme Court, beginning with *Celotex Corp. v. Cattrett*, 477 U.S. 317 (1986). I also have extensive experience litigating complex cases in federal and state courts across the country, including major civil rights cases. My experience with civil rights litigation includes: (1) arguing *Lawrence v. Texas*, the landmark gay rights case; (2) other constitutional challenges to state and federal laws that discriminate on the basis of sexual orientation, including the litigation in Virginia that ultimately led to the Fourth Circuit's decision in *Bostic v. Schaefer*, which held that bans on same-sex marriage are unconstitutional; (3) multiple cases in the 1980s involving the rights of residents of state mental health facilities; (4) a large gender bias case brought against Nassau County, NY in the 1990s; and (5) constitutional challenges to state and federal laws that restrict freedom of expression. In 2010, I was awarded the Thurgood Marshall Award from the American Bar Association Section of Individual Rights and Responsibilities, and was named one of the "Decade's Most Influential Lawyers" by *The National Law Journal*. In addition, I am a member of the Board of Directors of the Washington Lawyers Committee for Civil Rights and Urban Affairs.

4. Jenner provided considerable support throughout this entire case. Jenner was the primary drafter of almost all pleadings and submissions, including Plaintiffs' motion for summary judgment (which was ultimately granted in-full by the Court), as well as oppositions to the motions to dismiss and motions for summary judgment filed by the three defendants, including the defendant-intervenor West Virginia. Jenner participated in conference calls with co-counsel to determine litigation strategy and also frequently communicated with opposing counsel regarding scheduling matters and potential settlement issues.

5. To reduce billing costs, Nicholas W. Tarasen and R. Trent McCotter, both of whom are junior associates at Jenner, were primarily responsible for researching and drafting the briefs and motions in this case, with oversight from Lindsay C. Harrison and me. Mr. McCotter was responsible for preparing this fee petition. Brief biographies of the Jenner attorneys involved in this matter are attached hereto as Exhibit 1.

6. Attached hereto as Exhibit 2 are time records for this case detailing the time for which Jenner is seeking compensation in this case.

7. Throughout the time Jenner worked on this matter, its timekeepers have been required to keep daily time-records that reflect the amount of time spent on this matter each day, along with a description of the tasks performed. These records are entered into a computer database, checked, and maintained in computer-readable format.

8. Jenner attorneys expended the following hours in this litigation: September 2013 through May 31, 2014: Paul Smith (18.0 hours), Lindsay C. Harrison (79.0 hours), R. Trent McCotter (85.0 hours), and Nicholas W. Tarasen (136.0 hours); June 1, 2014, through present: Paul Smith (4.5 hours), Lindsay C. Harrison (12.25 hours), R. Trent McCotter (10.75 hours), and Nicholas W. Tarasen (11.75 hours). Where necessary, I exercised my billing judgment and

reduced or eliminated the fees sought to ensure that the amount requested is appropriate for a Court-ordered fees award. For example, when numerous Jenner attorneys participated on calls, I often reduced or eliminated the Amount Requested for any duplicate time entries. I also reduced travel time, such as when Ms. Harrison traveled to Charleston for a hearing in early January 2014.

9. Jenner normally charges for the services of its attorneys on the basis of hourly rates. Here, Jenner attorneys are seeking hourly fees based on the Laffey Matrix rates, which were often substantially lower than the Jenner attorneys' actual hourly rates. The Laffey Matrix shows hourly rates for attorneys in Washington, D.C., based on each attorney's years of experience. The federal courts in the District of Columbia customarily consider the Laffey Matrix rates to be reasonable for work performed by attorneys located in Washington, D.C. *See Harvey v. Mohammed*, 951 F. Supp. 2d 47, 54 (D.D.C. 2013) ("To determine reasonable hourly rates, it is customary in this District to apply the Laffey Matrix . . ."). Accordingly, the lodestar calculation is made based upon reasonable hourly rates for all current attorneys, as determined by the Laffey Matrix rates. In the Laffey Matrix, these rates change each year on June 1. From the beginning of the litigation through May 31, 2014, the following rates were in effect in the Laffey Matrix: Paul Smith: \$771; Lindsay C. Harrison: \$567; R. Trent McCotter: \$320; Nicholas W. Tarasen: \$320. From June 1, 2014, until the present, the following rates were in effect in the Laffey Matrix: Paul Smith: \$789; Lindsay C. Harrison: \$655; R. Trent McCotter: \$328; Nicholas W. Tarasen: \$328. In the attached time sheets, the Jenner attorneys' actual rates are labeled as "Orig Rate"; their requested rates, per the Laffey Matrix, are labeled as "Req Rate."

10. Applying these rates to the hours expended, Jenner seeks the following in attorneys' fees: September 2013 through May 31, 2014: Paul Smith: \$13,878.00; Lindsay C.

Harrison: \$44,793.00; R. Trent McCotter: \$27,200.00; Nicholas W. Tarasen: \$43,520.00; June 1, 2014, through the present: Paul Smith: \$3,550.50; Lindsay C. Harrison: \$8,023.75; R. Trent McCotter: \$3,526.00; Nicholas W. Tarasen: \$3,854.00. The total amount of fees sought for Jenner attorneys is \$148,345.25.

11. In addition to the participation of Jenner's attorneys, a Jenner paralegal, Cheryl L. Olson, provided assistance in cite-checking, editing, and filing logistics. In 2014, Cheryl Olson expended 13.5 hours.

12. Jenner normally charges for the services of its paralegals on the basis of hourly rates. Again, Jenner is seeking the lower Laffey Matrix paralegal rate, rather than the actual hourly rate charged by Ms. Olson. During the time during which Ms. Olson assisted with this case, the Laffey Matrix rate for a paralegal in Washington, D.C., was \$175.

13. Applying these rates to the hours Cheryl Olson expended, Jenner seeks the following in fees: 2014: Cheryl Olson: \$2,362.50.

14. In the exercise of my billing judgment, Jenner has determined it will not seek any costs in this Court.

15. The total fees sought by Jenner are \$150,707.75.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and that this Declaration was prepared in the District of Columbia on December 2, 2014.



Paul M. Smith

EXHIBIT 1

Paul M. Smith

Paul M. Smith is Chair of the Appellate and Supreme Court Practice and Co-Chair of the Media and First Amendment, and Election Law and Redistricting Practices. He has had an active Supreme Court practice for three decades, including oral arguments in 15 Supreme Court cases involving matters ranging from free speech and civil rights to civil procedure. Among his important victories have been *Lawrence v. Texas*, the landmark gay rights case, and *Brown v. Entertainment Merchants Ass'n*, establishing the First Amendment rights of those who produce and sell video games.

Chambers USA has named Mr. Smith one of the country's leading lawyers in appellate litigation, media and entertainment law, and First Amendment litigation for multiple years. In 2010, *Washingtonian* magazine recognized him as one of "Washington's Top Lawyers," Washington DC Super Lawyer named him one of the "Top 10 Lawyers in D.C.," and *The National Law Journal* named him one of the "Decade's Most Influential Lawyers." *Best Lawyers* named him the Washington DC First Amendment Lawyer of the Year for 2012. Mr. Smith was awarded the Thurgood Marshall Award by the American Bar Association Section of Individual Rights and Responsibilities for his work promoting civil rights and civil liberties. He is AV Peer Review Rated, Martindale-Hubbell's highest peer recognition for ethical standards and legal ability.

Mr. Smith is a member of the firm's Content, Media & Entertainment Practice and serves on the Policy Committee. He also serves the firm as a member of the Diversity & Inclusion Committee. He represents the members of the D.C. Bar in the ABA House of Delegates. Mr. Smith was a member of the D.C. Bar Board of Governors from 2002-2008. He is a member and former chair of the National Board of Directors of the American Constitution Society and former board member and co-chair of Lambda Legal. Mr. Smith is also a member of the Board of Directors of the Washington Lawyers Committee for Civil Rights and Urban Affairs.

Mr. Smith is admitted to practice in the District of Columbia, Maryland, and New York.

Lindsay C. Harrison

Lindsay C. Harrison regularly participates in appellate litigation matters before the federal appellate courts and the Supreme Court in a wide variety of subject matters. Corporations and individuals turn to her for help with litigation in federal and state trial courts, as well as in arbitration, including international arbitration before the International Centre for Dispute Resolution. She has substantial experience litigating matters involving the hospitality industry, successfully representing hotel management companies in high-stakes, multi-million dollar lawsuits and arbitrations.

In 2014, Law360 named Ms. Harrison a "Rising Star" in the hospitality practice area, one of only four young attorneys chosen nationwide for this recognition, and *The National Law Journal* selected her as a "D.C. Rising Star" – one of 40 "game-changing lawyers age 40 and under" who are "leaders in the law" in the nation's capital. In 2013, she was named to the BTI Consulting Group's Client Service All-Star List.

Ms. Harrison has a substantial pro bono practice, which has included a successful argument before the U.S. Supreme Court on behalf of an asylum-seeker and the ongoing representation of

a death row inmate in Georgia. For her work in the landmark immigration case of *Nken v. Holder*, Ms. Harrison was awarded the 2008 Albert E. Jenner, Jr. Pro Bono Award. In 2010, she received the inaugural Rosner and Rosner Young Professionalism Award from the American Bar Association, in recognition of her pro bono legal work and involvement in public service endeavors.

Ms. Harrison is a member of the Edward Coke Appellate Inn of Court and a former chair of the Amicus Committee of the Women's Bar Association of the District of Columbia. She serves as a member of the firm's Finance, Associate Development & Evaluation and Alternative Billing Committees.

Ms. Harrison is admitted to practice in California and the District of Columbia.

R. Trent McCotter

R. Trent McCotter is an Associate in the Litigation Department. He joined the Firm in 2012. Mr. McCotter received his B.A. in Economics, summa cum laude, from the University of North Carolina at Chapel Hill in 2008. He received his J.D., magna cum laude, from the University of North Carolina School of Law in 2011. During law school, he served as an Articles Editor on the *North Carolina Law Review*, won the Joyner Award for Best Student-Written Law Review Note, and received eight Book Awards. He also interned with the Hon. Paul Newby on the Supreme Court of North Carolina and with the Hon. Rick Elmore on the North Carolina Court of Appeals. Prior to joining Jenner & Block, Mr. McCotter served as law clerk to the Hon. R. Lanier Anderson III on the U.S. Court of Appeals for the Eleventh Circuit.

Mr. McCotter has drafted numerous briefs at the United States Courts of Appeals and has assisted with several amicus and merits briefs for Supreme Court cases and petitions for certiorari. He is admitted to practice in North Carolina and the District of Columbia.

Nicholas W. Tarasen

Nick Tarasen is an associate in the firm's Litigation Department. Prior to joining Jenner & Block in 2013, Mr. Tarasen was a law clerk to the Honorable Stephen Reinhardt of the U.S. Court of Appeals for the Ninth Circuit. In 2012, Mr. Tarasen graduated with high honors from the University of Chicago Law School, where he was comments editor of the *University of Chicago Law Review* and co-chair of the Hinton Moot Court Board. During law school, Mr. Tarasen participated in the Edwin F. Mandel Legal Aid Clinic, where he helped obtain class certification and conduct discovery in a federal employment discrimination class action lawsuit, resulting in an \$11 million settlement. He also interned for the Office of the Illinois Attorney General's Civil Appeals Division, where he assisted in the representation of state agencies before federal and state appellate courts.

Mr. Tarasen maintains an active pro bono practice, which includes litigating cases regarding the rights of LGBT individuals and representing immigrants before federal appellate courts. Before attending law school, he worked as a paralegal in the Marriage Project of Lambda Legal, a national legal organization that advocates for the rights of LGBT individuals and those with HIV. Mr. Tarasen is admitted to practice in California.

EXHIBIT 2

Time Report: Jenner & Block LLP									
Sept 2013 through May 31, 2014									
<i>McGee v. Cole</i> (S.D. W. Va.)									
Date	Name	Orig Hrs	Req Hrs	Orig Rate	Req Rate	Orig Amt	Req Amt	Narrative	
09/16/2013	LINDSAY C. HARRISON	1.00	1.00	630.00	567.00	630.00	567.00	Reviewed legal memoranda in preparation for strategy call.	
09/17/2013	LINDSAY C. HARRISON	1.25	1.25	630.00	567.00	787.50	708.75	Participated in call with co-counsel re filing of lawsuit, timing, press coverage, inclusion of child plaintiff; summarized call for P. Smith.	
09/18/2013	LINDSAY C. HARRISON	1.25	0.00	630.00	567.00	787.50	0.00	Completed pro hac application and corresponded with local counsel, T. McCotter re same.	
09/23/2013	LINDSAY C. HARRISON	1.00	1.00	630.00	567.00	630.00	567.00	Reviewed revisions to complaint.	
09/30/2013	LINDSAY C. HARRISON	0.25	0.00	630.00	567.00	157.50	0.00	Spoke to K. Loewy re pro hac vice; corresponded with P. Smith and K. Loewy re same.	
10/02/2013	LINDSAY C. HARRISON	1.25	0.00	630.00	567.00	787.50	0.00	Reviewed press coverage of litigation; corresponded with P. Smith re jurist article.	
11/01/2013	LINDSAY C. HARRISON	2.00	2.00	630.00	567.00	1,260.00	1,134.00	Reviewed SJ brief; call with T. McCotter & K. Loewy re SJ brief.	
11/25/2013	LINDSAY C. HARRISON	2.25	2.25	630.00	567.00	1,417.50	1,275.75	Reviewed motion to intervene and emailed K. Loewy re same; revised draft SJ motion.	
11/26/2013	LINDSAY C. HARRISON	2.50	2.50	630.00	567.00	1,575.00	1,417.50	Revised summary judgment draft and sent to P. Smith.	
11/27/2013	LINDSAY C. HARRISON	1.00	1.00	630.00	567.00	630.00	567.00	Call with legal team to discuss motion to dismiss and intervention.	
12/04/2013	LINDSAY C. HARRISON	1.50	1.50	630.00	567.00	945.00	850.50	Reviewed N. Tarasen research re Burford abstention and corresponded with him re same.	
12/05/2013	LINDSAY C. HARRISON	4.50	4.50	630.00	567.00	2,835.00	2,551.50	Researched and drafted opposition to Burford abstention motion to dismiss.	
12/06/2013	LINDSAY C. HARRISON	2.00	2.00	630.00	567.00	1,260.00	1,134.00	Revised opposition to motion to dismiss on abstention grounds and emailed with team re same.	
12/09/2013	LINDSAY C. HARRISON	1.00	1.00	630.00	567.00	630.00	567.00	Reviewed Lambda edits to opposition; revised opposition; corresponded with N. Tarasen re same.	
12/10/2013	LINDSAY C. HARRISON	0.50	0.50	630.00	567.00	315.00	283.50	Reviewed final opposition to motion to dismiss for filing; emailed local counsel re exhibit.	
12/17/2013	LINDSAY C. HARRISON	3.00	3.00	630.00	567.00	1,890.00	1,701.00	Reviewed State's motion to dismiss and new motion to dismiss by clerk and corresponded with Lambda re responses; corresponded with N. Tarasen and T. McCotter re same.	
12/18/2013	LINDSAY C. HARRISON	1.50	1.50	630.00	567.00	945.00	850.50	Corresponded with N. Tarasen re standing; reviewed research re standing and futility.	
12/19/2013	LINDSAY C. HARRISON	1.50	1.50	630.00	567.00	945.00	850.50	Worked on opposition to motion to dismiss.	
12/20/2013	LINDSAY C. HARRISON	2.50	2.50	630.00	567.00	1,575.00	1,417.50	Reviewed declarations and Lambda edits to oppositions; corresponded with Lambda folks re edits and oppositions.	
12/21/2013	LINDSAY C. HARRISON	1.00	1.00	630.00	567.00	630.00	567.00	Reviewed draft opposition to State's motion sent by N. Tarasen.	
12/22/2013	LINDSAY C. HARRISON	1.25	1.25	630.00	567.00	787.50	708.75	Revised opposition to State's motion to dismiss.	

Date	Name	Orig Hrs	Req Hrs	Orig Rate	Req Rate	Orig Amt	Req Amt	Narrative
12/27/2013	LINDSAY C. HARRISON	1.50	1.50	630.00	567.00	945.00	850.50	Reviewed edits to opposition to State's motion to dismiss; emailed C. Taylor re status of opposition and summary judgment motion.
12/30/2013	LINDSAY C. HARRISON	1.50	1.50	630.00	567.00	945.00	850.50	Edited pleadings.
01/02/2014	LINDSAY C. HARRISON	1.00	1.00	655.00	567.00	655.00	567.00	Reviewed filing materials and prepared for hearing in West Virginia.
01/03/2014	LINDSAY C. HARRISON	1.00	1.00	655.00	567.00	655.00	567.00	Corresponded with co-counsel about hearing.
01/06/2014	LINDSAY C. HARRISON	12.00	6.00	655.00	567.00	7,860.00	3,402.00	Traveled to Charleston and Huntington for status hearing; participated in status hearing; conference call with co-counsel following hearing; emailed co-counsel re hearing; traveled home from W. Va.
01/21/2014	LINDSAY C. HARRISON	1.50	1.50	655.00	567.00	982.50	850.50	Call with Elbert Lin re briefing schedule; corresponded with co-counsel and Elbert Lin re same; read 9th Circuit decision re heightened scrutiny.
01/22/2014	LINDSAY C. HARRISON	0.25	0.25	655.00	567.00	163.75	141.75	Corresponded with co-counsel and opposing counsel re schedule.
01/24/2014	LINDSAY C. HARRISON	1.25	1.25	655.00	567.00	818.75	708.75	Reviewed motion to extend briefing schedule; corresponded with co-counsel re proposed response; corresponded with T. McCotter re opposition.
01/27/2014	LINDSAY C. HARRISON	0.50	0.50	655.00	567.00	327.50	283.50	Revised draft opposition on deadlines and corresponded with co-counsel re same.
01/29/2014	LINDSAY C. HARRISON	1.25	1.25	655.00	567.00	818.75	708.75	Reviewed judge's order on motions to dismiss; drafted summary and circulated to co-counsel; corresponded with N. Tarasen, C. Taylor re: issue regarding sufficiency of defendants.
01/31/2014	LINDSAY C. HARRISON	2.00	2.00	655.00	567.00	1,310.00	1,134.00	Corresponded with N. Tarasen and C. Taylor re: research on remedies.
02/04/2014	LINDSAY C. HARRISON	1.25	1.25	655.00	567.00	818.75	708.75	Reviewed correspondence; emailed J. Carpenter re disbursements; corresponded with N. Tarasen re remedy issues.
02/05/2014	LINDSAY C. HARRISON	3.50	3.50	655.00	567.00	2,292.50	1,984.50	Revised Burford II brief; corresponded with N. Tarasen re same.
02/06/2014	LINDSAY C. HARRISON	2.50	2.50	655.00	567.00	1,637.50	1,417.50	Revised Burford II brief; corresponded with N. Tarasen, P. Smith re same.
02/07/2014	LINDSAY C. HARRISON	3.50	3.50	655.00	567.00	2,292.50	1,984.50	Worked on Burford memo; corresponded with N. Tarasen and P. Smith re Burford issues; emailed E. Lin re call.
02/10/2014	LINDSAY C. HARRISON	1.00	1.00	655.00	567.00	655.00	567.00	Call with E. Lin and email to team re same; revised Burford brief.
02/11/2014	LINDSAY C. HARRISON	2.00	2.00	655.00	567.00	1,310.00	1,134.00	Reviewed brief before filing; corresponded with N. Tarasen re same.
02/12/2014	LINDSAY C. HARRISON	2.00	2.00	655.00	567.00	1,310.00	1,134.00	Revised brief for filing; sent brief to the team.
02/13/2014	LINDSAY C. HARRISON	0.50	0.50	655.00	567.00	327.50	283.50	Call with team re McGee updates; emailed P. Smith re call.
02/14/2014	LINDSAY C. HARRISON	0.50	0.50	655.00	567.00	327.50	283.50	Emailled team re summary judgment pleadings; read State's summary judgment motion.

Date	Name	Orig Hrs	Req Hrs	Orig Rate	Req Rate	Orig Amt	Req Amt	Narrative
02/17/2014	LINDSAY C. HARRISON	0.50	0.50	655.00	567.00	327.50	283.50	Reviewed K. Loewy outline; emailed team re outline and SJ brief.
02/19/2014	LINDSAY C. HARRISON	0.25	0.25	655.00	567.00	163.75	141.75	Corresponded with T. McCotter and team re summary judgment deadlines and pages.
02/20/2014	LINDSAY C. HARRISON	3.00	3.00	655.00	567.00	1,965.00	1,701.00	Revised Burford brief; revised summary judgment brief; corresponded with team re same.
02/22/2014	LINDSAY C. HARRISON	5.50	5.50	655.00	567.00	3,602.50	3,118.50	Worked on summary judgment brief.
02/24/2014	LINDSAY C. HARRISON	3.50	3.50	655.00	567.00	2,292.50	1,984.50	Revised summary judgment draft and incorporated edits from team.
03/26/2014	LINDSAY C. HARRISON	0.50	0.50	655.00	567.00	327.50	283.50	Read precedent re Burford abstention and emailed team re same.
		87.75	79.00			56,551.25	44,793.00	
12/03/2013	NICHOLAS W. TARASEN	3.50	3.50	355.00	320.00	1,242.50	1,120.00	Research re: Burford abstention in support of opposition to Defendant McCormick's Motion to Dismiss.
12/04/2013	NICHOLAS W. TARASEN	0.50	0.50	355.00	320.00	177.50	160.00	Review/edit Opposition to Defendant McCormick's Motion to Dismiss.
12/05/2013	NICHOLAS W. TARASEN	1.50	1.50	355.00	320.00	532.50	480.00	Research, review and edit Opposition to Defendant McCormick's Motion to Dismiss.
12/06/2013	NICHOLAS W. TARASEN	1.75	1.75	355.00	320.00	621.25	560.00	Review and edit Opposition to Defendant McCormick's Motion to Dismiss.
12/09/2013	NICHOLAS W. TARASEN	0.50	0.50	355.00	320.00	177.50	160.00	Review and edit Opposition to Defendant McCormick's Motion to Dismiss.
12/10/2013	NICHOLAS W. TARASEN	0.50	0.50	355.00	320.00	177.50	160.00	Review Opposition to Defendant McCormick's Motion to Dismiss; find exhibit in support.
12/17/2013	NICHOLAS W. TARASEN	2.00	2.00	355.00	320.00	710.00	640.00	Research and draft Opposition to Defendant Cole's Motion to Dismiss.
12/18/2013	NICHOLAS W. TARASEN	8.25	8.25	355.00	320.00	2,928.75	2,640.00	Research and draft Opposition to Defendant Cole's Motion to Dismiss; research Opposition to State's Motion to Dismiss.
12/19/2013	NICHOLAS W. TARASEN	2.50	2.50	355.00	320.00	887.50	800.00	Research, review and edit Opposition to Defendant Cole's Motion to Dismiss; review New Mexico same-sex marriage decision.
12/20/2013	NICHOLAS W. TARASEN	4.75	4.75	355.00	320.00	1,686.25	1,520.00	Review and edit Opposition to Defendant Cole's Motion to Dismiss; research and draft Opposition to State's Motion to Dismiss; review Utah same-sex marriage decision for applicability to Opposition.
12/21/2013	NICHOLAS W. TARASEN	6.50	6.50	355.00	320.00	2,307.50	2,080.00	Research and draft Opposition to State's Motion to Dismiss.
12/23/2013	NICHOLAS W. TARASEN	6.50	6.50	355.00	320.00	2,307.50	2,080.00	Research, review, and edit Opposition to State's Motion to Dismiss; integrate Summary Judgment affidavits.
12/30/2013	NICHOLAS W. TARASEN	1.25	1.25	355.00	320.00	443.75	400.00	Review draft summary judgment motion; review Perry and Kitchen decisions to support assertions in draft summary judgment motion.

Date	Name	Orig Hrs	Req Hrs	Orig Rate	Req Rate	Orig Amt	Req Amt	Narrative
01/06/2014	NICHOLAS W. TARASEN	0.75	0.00	435.00	320.00	326.25	0.00	Review correspondence re: results of scheduling conference; attend conference call re: scheduling conference.
01/29/2014	NICHOLAS W. TARASEN	4.50	4.50	435.00	320.00	1,957.50	1,440.00	Review district judge's opinion re Burford abstention; research issues pertaining to Plaintiffs' ability to obtain statewide relief in response.
01/30/2014	NICHOLAS W. TARASEN	6.25	6.25	435.00	320.00	2,718.75	2,000.00	Research issues pertaining to Plaintiffs' ability to obtain statewide relief, in response to district judge's opinion re Burford abstention.
01/31/2014	NICHOLAS W. TARASEN	0.50	0.50	435.00	320.00	217.50	160.00	Research response to district judge's order re state-wide effect of relief and potential amendments.
02/03/2014	NICHOLAS W. TARASEN	4.00	4.00	435.00	320.00	1,740.00	1,280.00	Draft memorandum re: potential amendment in response to Court's January 29 order; research and draft brief re response to Judge's January 29 order re: Burford abstention.
02/04/2014	NICHOLAS W. TARASEN	5.75	5.75	435.00	320.00	2,501.25	1,840.00	Research and draft memo re: potential for amendment in response to Judge's January 29 order; research and draft brief re: Burford abstention in response to Judge's January 29 order.
02/05/2014	NICHOLAS W. TARASEN	9.75	9.75	435.00	320.00	4,241.25	3,120.00	Research and draft brief re: Burford abstention in response to Judge's January 29 order.
02/06/2014	NICHOLAS W. TARASEN	8.25	8.25	435.00	320.00	3,588.75	2,640.00	Additional research, drafting, and editing for brief re: Burford abstention in response to Judge's January 29 order.
02/10/2014	NICHOLAS W. TARASEN	1.00	0.00	435.00	320.00	435.00	0.00	Arrange for and attend conference call re possible amendment/response to Court's January 29 order; review and update brief re Burford abstention.
02/11/2014	NICHOLAS W. TARASEN	1.50	1.50	435.00	320.00	652.50	480.00	Incorporate edits to brief re Burford abstention in response to Court's January 29 order.
02/12/2014	NICHOLAS W. TARASEN	0.75	0.75	435.00	320.00	326.25	240.00	Review edits to brief re Burford abstention in response to Court's January 29 order; incorporate further edits to brief and send to local counsel for filing.
02/13/2014	NICHOLAS W. TARASEN	1.00	0.00	435.00	320.00	435.00	0.00	Review Defendants' summary judgment briefs; attend conference call re: same.
02/14/2014	NICHOLAS W. TARASEN	2.25	2.25	435.00	320.00	978.75	720.00	Review Defendants' summary judgment briefs; review and organize exhibits to Defendants' summary judgment briefs; arrange for distribution of binder re summary judgment briefing to West Virginia team.
02/17/2014	NICHOLAS W. TARASEN	0.75	0.75	435.00	320.00	326.25	240.00	Research and draft e-mail to L. Harrison re: summary judgment response and reply due dates.
02/19/2014	NICHOLAS W. TARASEN	1.00	1.00	435.00	320.00	435.00	320.00	Research and correspond with co-counsel (C. Taylor) re deadlines for filing summary judgment response/reply.

Date	Name	Orig Hrs	Req Hrs	Orig Rate	Req Rate	Orig Amt	Req Amt	Narrative
02/20/2014	NICHOLAS W. TARASEN	4.50	4.50	435.00	320.00	1,957.50	1,440.00	Review Defendants' responses re: Burford abstention and other procedural issues; draft outline of reply brief re: Burford abstention and other procedural issues; research and draft Summary Judgment response/reply brief.
02/21/2014	NICHOLAS W. TARASEN	13.50	13.50	435.00	320.00	5,872.50	4,320.00	Research and draft parts SJ Reply/Opposition brief re failure to join necessary parties and Baker v. Nelson; research and draft reply brief re: Burford abstention and other procedural issues.
02/22/2014	NICHOLAS W. TARASEN	12.50	12.50	435.00	320.00	5,437.50	4,000.00	Research and draft reply brief re Burford abstention and other procedural issues.
02/23/2014	NICHOLAS W. TARASEN	1.75	0.00	435.00	320.00	761.25	0.00	Attend conference call re: SJ opposition/reply; draft additional paragraphs for Summary Judgment response/reply brief re: facial constitutional challenges and standing.
02/24/2014	NICHOLAS W. TARASEN	7.25	7.25	435.00	320.00	3,153.75	2,320.00	Edit, revise, and file Reply Brief re Burford Abstention / Brief in Response to State's Motion to Dismiss; edit and revise Summary Judgment Reply Brief / Response to Defendants' Cross-Motions for Summary Judgment.
02/25/2014	NICHOLAS W. TARASEN	11.25	11.25	435.00	320.00	4,893.75	3,600.00	Revise, edit, and assist in filing of Summary Judgment Reply Brief / Response to Defendants' Cross-Motions for Summary Judgment.
02/26/2014	NICHOLAS W. TARASEN	1.75	1.75	435.00	320.00	761.25	560.00	Review recent marriage equality decision from the Western District of Texas; draft and circulate notice of supplemental authority to submit new decision.
		140.50	136.00			57,917.50	43,520.00	
10/09/2013	PAUL M. SMITH	0.75	0.75	985.00	771.00	738.75	578.25	Telephone call with co-counsel re MSJ substance and timing.
10/22/2013	PAUL M. SMITH	0.50	0.50	985.00	771.00	492.50	385.50	Emailed with team re opposition to extension of time and reviewed draft.
10/23/2013	PAUL M. SMITH	0.25	0.25	985.00	771.00	246.25	192.75	Reviewed ruling on extension motion.
11/22/2013	PAUL M. SMITH	0.50	0.50	985.00	771.00	492.50	385.50	Reviewed State's intervention motion and considered any potential responses.
11/26/2013	PAUL M. SMITH	2.00	2.00	985.00	771.00	1,970.00	1,542.00	Reviewed draft MSJ.
11/26/2013	PAUL M. SMITH	0.50	0.50	985.00	771.00	492.50	385.50	Reviewed MTD filed by Kanawha County Clerk.
11/26/2013	PAUL M. SMITH	0.50	0.50	985.00	771.00	492.50	385.50	Emailed with team re McCormick MTD.
11/27/2013	PAUL M. SMITH	0.25	0.25	985.00	771.00	246.25	192.75	Telephone call with team re MTD filed by Kanawha clerk.
12/06/2013	PAUL M. SMITH	1.00	1.00	985.00	771.00	985.00	771.00	Edited response to clerk's MTD.
12/09/2013	PAUL M. SMITH	0.50	0.50	985.00	771.00	492.50	385.50	Reviewed LL comments on our draft of response to clerk's abstention motion.
12/16/2013	PAUL M. SMITH	0.50	0.50	985.00	771.00	492.50	385.50	Telephone call re plan for scheduling conference with defendants.
12/16/2013	PAUL M. SMITH	0.50	0.50	985.00	771.00	492.50	385.50	Edited MSJ.

Date	Name	Orig Hrs	Req Hrs	Orig Rate	Req Rate	Orig Amt	Req Amt	Narrative
12/16/2013	PAUL M. SMITH	1.00	1.00	985.00	771.00	985.00	771.00	Reviewed defendants' filings.
12/23/2013	PAUL M. SMITH	0.50	0.50	985.00	771.00	492.50	385.50	Edited and commented on response to States' standing motion.
12/26/2013	PAUL M. SMITH	1.00	1.00	985.00	771.00	985.00	771.00	Edited MSJ draft.
12/29/2013	PAUL M. SMITH	0.50	0.50	985.00	771.00	492.50	385.50	Emailed with team re page limit issue regarding MSJ.
12/30/2013	PAUL M. SMITH	0.50	0.50	985.00	771.00	492.50	385.50	Reviewed new version of summary judgment brief.
01/06/2014	PAUL M. SMITH	0.25	0.25	1,100.00	771.00	275.00	192.75	Reviewed email report re scheduling conference.
01/06/2014	PAUL M. SMITH	0.25	0.25	1,100.00	771.00	275.00	192.75	Reviewed and commented on response to motion to strike supplemental authority filing.
01/30/2014	PAUL M. SMITH	0.50	0.50	1,100.00	771.00	550.00	385.50	Emailed with co-counsel re response to court's concerns about statewide effects of a ruling.
02/07/2014	PAUL M. SMITH	0.50	0.50	1,100.00	771.00	550.00	385.50	Emailed with team about next steps.
02/12/2014	PAUL M. SMITH	1.00	1.00	1,100.00	771.00	1,100.00	771.00	Edited brief responding to the court on Burford issue.
02/12/2014	PAUL M. SMITH	0.50	0.50	1,100.00	771.00	550.00	385.50	Reviewed clerks' MSJ.
02/19/2014	PAUL M. SMITH	0.50	0.50	1,100.00	771.00	550.00	385.50	Reviewed opponents' filings.
02/22/2014	PAUL M. SMITH	1.00	1.00	1,100.00	771.00	1,100.00	771.00	Edited our sections of MSJ reply.
02/23/2014	PAUL M. SMITH	0.75	0.75	1,100.00	771.00	825.00	578.25	Reviewed LL edits to our sections of MSJ reply; participated in meeting with LL and Jenner team via telephone.
02/24/2014	PAUL M. SMITH	1.50	1.50	1,100.00	771.00	1,650.00	1,156.50	Edited Burford reply brief and MSJ reply brief.
		18.00	18.00			18,506.25	13,878.00	
10/09/2013	R. TRENT MCCOTTER	0.25	0.25	410.00	320.00	102.50	80.00	Emails with P. Smith re drafting MSJ; briefly reviewed same-sex Virginia briefing.
10/10/2013	R. TRENT MCCOTTER	1.25	0.00	410.00	320.00	512.50	0.00	Finished reading same-sex Virginia briefing.
								Call with K. Loewy and L. Harrison re research into West Virginia law and outline of MSJ; email to K. Loewy re West Virginia legislative history and research on minor plaintiff's legal claims.
10/11/2013	R. TRENT MCCOTTER	0.75	0.75	410.00	320.00	307.50	240.00	Began reviewing materials sent by K. Loewy.
10/12/2013	R. TRENT MCCOTTER	0.50	0.50	410.00	320.00	205.00	160.00	Finished reviewing material sent by K. Loewy; began drafting MSJ; email to L. Harrison and L. Platzer re same.
10/13/2013	R. TRENT MCCOTTER	3.50	3.50	410.00	320.00	1,435.00	1,120.00	Email to Lambda Legal re West Virginia legislative history; read several memos on the history of marriage in West Virginia; research on history of West Virginia prohibitions on marriage; email to S. Mellin re obtaining prior West Virginia laws; continued writing MSJ.
10/16/2013	R. TRENT MCCOTTER	3.25	3.25	410.00	320.00	1,332.50	1,040.00	
10/17/2013	R. TRENT MCCOTTER	5.50	5.50	410.00	320.00	2,255.00	1,760.00	Research on history and interpretation of West Virginia's and other states' marriage statutes; emails with team re same.
10/18/2013	R. TRENT MCCOTTER	0.50	0.50	410.00	320.00	205.00	160.00	Emails with Lambda re MSJ.

Date	Name	Orig Hrs	Req Hrs	Orig Rate	Req Rate	Orig Amt	Req Amt	Narrative
10/19/2013	R. TRENT MCCOTTER	2.25	2.25	410.00	320.00	922.50	720.00	Emails with P. Smith re status of MSJ; finished reading Cott Affidavit; continued editing MSJ.
10/20/2013	R. TRENT MCCOTTER	1.00	1.00	410.00	320.00	410.00	320.00	Continued revising MSJ.
10/22/2013	R. TRENT MCCOTTER	2.00	2.00	410.00	320.00	820.00	640.00	Read emails re extension of time for defendants to file response; reviewed opposition to extension of time; emailed edits; continued revising MSJ.
10/25/2013	R. TRENT MCCOTTER	0.25	0.00	410.00	320.00	102.50	0.00	Completed attorney notification form for the Southern District of West Virginia filing system.
10/29/2013	R. TRENT MCCOTTER	7.00	7.00	410.00	320.00	2,870.00	2,240.00	Continued work on MSJ; research on prior West Virginia marriage, divorce, and property laws; emails with K. Loewy re same.
10/30/2013	R. TRENT MCCOTTER	5.00	5.00	410.00	320.00	2,050.00	1,600.00	Continued work on MSJ; created outline of Statement of Undisputed Facts.
10/31/2013	R. TRENT MCCOTTER	6.50	6.50	410.00	320.00	2,665.00	2,080.00	Completed first draft of MSJ; emailed same to K. Loewy and L. Harrison.
11/01/2013	R. TRENT MCCOTTER	1.50	1.50	410.00	320.00	615.00	480.00	Call with K. Loewy and L. Harrison re MSJ; emails to L. Harrison re same; email to T. Peavler re additional research on marriage ban.
11/06/2013	R. TRENT MCCOTTER	1.00	1.00	410.00	320.00	410.00	320.00	Searched for legislative history of marriage ban.
11/07/2013	R. TRENT MCCOTTER	3.25	3.25	410.00	320.00	1,332.50	1,040.00	Revised MSJ in accordance with comments from K. Loewy; emailed S. Mellin re history of West Virginia's marriage laws.
11/08/2013	R. TRENT MCCOTTER	4.50	4.50	410.00	320.00	1,845.00	1,440.00	Continued revising MSJ; emails with T. Peavler re same.
11/14/2013	R. TRENT MCCOTTER	1.75	1.75	410.00	320.00	717.50	560.00	Continued revising MSJ; emailed revised draft of same to team.
11/24/2013	R. TRENT MCCOTTER	0.25	0.00	410.00	320.00	102.50	0.00	Email to L. Harrison re status of MSJ and timeline for Defendants to file their response.
11/26/2013	R. TRENT MCCOTTER	0.50	0.50	410.00	320.00	205.00	160.00	Read MTD filed by Defendant McCormick; read emails from team discussing same.
11/27/2013	R. TRENT MCCOTTER	0.25	0.25	410.00	320.00	102.50	80.00	Conference call with team re scheduling order and to discuss response to state's MTD; emails to P. Smith and L. Harrison re abstention.
12/05/2013	R. TRENT MCCOTTER	0.50	0.50	410.00	320.00	205.00	160.00	Read emails from opposing counsel and P. Smith re scheduling Rule 26(f) meeting; read draft of opposition to motion to abstain; emailed comments and edits on same to team.
12/10/2013	R. TRENT MCCOTTER	0.50	0.50	410.00	320.00	205.00	160.00	Reviewed filing of opposition to MTD; emailed copy of Baker to local counsel for filing.
12/13/2013	R. TRENT MCCOTTER	0.25	0.25	410.00	320.00	102.50	80.00	Emails with team to schedule conference re MSJ.
12/15/2013	R. TRENT MCCOTTER	0.25	0.25	410.00	320.00	102.50	80.00	Read West Virginia cases summarized by K. Loewy re equal protection and marriage.
12/16/2013	R. TRENT MCCOTTER	1.75	0.00	410.00	320.00	717.50	0.00	Conference call with team re status of summary judgment brief and deadlines for upcoming Rule 26(f) call; listened to Rule 26(f) meeting via phone; reviewed MTDs filed by Defendant Cole and the West Virginia Attorney General.

Date	Name	Orig Hrs	Req Hrs	Orig Rate	Req Rate	Orig Amt	Req Amt	Narrative
12/18/2013	R. TRENT MCCOTTER	0.50	0.50	410.00	320.00	205.00	160.00	Reviewed draft of opposition to Cole's MTD; made edits to same and emailed to team.
12/19/2013	R. TRENT MCCOTTER	0.50	0.50	410.00	320.00	205.00	160.00	Reviewed P. Smith's edits to opposition to Cole's MTD; read emails from Lambda team with their edits to same; email to N. Tarasen re same.
12/20/2013	R. TRENT MCCOTTER	2.75	2.75	410.00	320.00	1,127.50	880.00	Reviewed additional edits to opposition to Cole's MTD; emails with N. Tarasen re same; revised statement of undisputed facts in MSJ; emailed updated draft to L. Harrison; researched whether MSJ can be filed before discovery; email summarizing findings to L. Harrison.
12/22/2013	R. TRENT MCCOTTER	0.25	0.25	410.00	320.00	102.50	80.00	Emails with L. Harrison and C. Taylor re completing plaintiffs' affidavits.
12/23/2013	R. TRENT MCCOTTER	1.00	1.00	410.00	320.00	410.00	320.00	Read draft of opposition to State's MTD; email to team with edits to same.
12/26/2013	R. TRENT MCCOTTER	0.25	0.25	410.00	320.00	102.50	80.00	Reviewed Lambda's edits to opposition to State's partial MTD.
12/27/2013	R. TRENT MCCOTTER	0.50	0.50	410.00	320.00	205.00	160.00	Read email from C. Taylor re edits to MSJ; emails with N. Tarasen and L. Harrison re same.
12/28/2013	R. TRENT MCCOTTER	3.25	3.25	410.00	320.00	1,332.50	1,040.00	Reviewed P. Smith's edits to revised MSJ; edited MSJ in accord with same; email to team summarizing same and tasks left to complete.
12/29/2013	R. TRENT MCCOTTER	0.50	0.50	410.00	320.00	205.00	160.00	Read emails from team re shortening summary judgment motion.
12/30/2013	R. TRENT MCCOTTER	3.00	3.00	410.00	320.00	1,230.00	960.00	Emails to N. Tarasen re research on Perry and Kitchen opinions and shortening motion for summary judgment; created separate statement of undisputed facts; emailed same to team; emails with N. Tarasen re same; revised MSJ; emailed same to team; revised opposition to State's MTD; emailed draft to team for review.
01/01/2014	R. TRENT MCCOTTER	0.25	0.25	480.00	320.00	120.00	80.00	Read Defendants' joint motion to stay briefing on summary judgment; email to team re same.
01/02/2014	R. TRENT MCCOTTER	0.25	0.25	480.00	320.00	120.00	80.00	Read proposed Rule 28(j) letter of supplemental authority; email to K. Loewy re same.
01/06/2014	R. TRENT MCCOTTER	0.75	0.00	480.00	320.00	360.00	0.00	Reviewed draft of opposition to motion to strike supplemental authority; added additional record cites and fixed nits in same; email re same to team; conference call with team after scheduling hearing.
01/08/2014	R. TRENT MCCOTTER	0.50	0.50	480.00	320.00	240.00	160.00	Read filed version of our MSJ.
01/18/2014	R. TRENT MCCOTTER	0.25	0.25	480.00	320.00	120.00	80.00	Email to team re Rule 26 letter.
01/26/2014	R. TRENT MCCOTTER	0.75	0.75	480.00	320.00	360.00	240.00	Drafted opposition to motion to amend scheduling order; emailed same to L. Harrison.
01/27/2014	R. TRENT MCCOTTER	0.25	0.25	480.00	320.00	120.00	80.00	Final edits on opposition to motion to amend schedule; emails with team re same.
01/29/2014	R. TRENT MCCOTTER	0.25	0.25	480.00	320.00	120.00	80.00	Emails with team re court's order partially granting motions to dismiss.

Date	Name	Orig Hrs	Req Hrs	Orig Rate	Req Rate	Orig Amt	Req Amt	Narrative
02/06/2014	R. TRENT MCCOTTER	0.50	0.50	480.00	320.00	240.00	160.00	Reviewed memorandum and draft brief on issue of Burford abstention raised by district court in its Order.
02/13/2014	R. TRENT MCCOTTER	0.50	0.00	480.00	320.00	240.00	0.00	Call with team re writing MSJ.
02/15/2014	R. TRENT MCCOTTER	2.00	2.00	480.00	320.00	960.00	640.00	Read MSJs filed by all defendants; reviewed outline of relevant research topics prepared by Lambda.
02/17/2014	R. TRENT MCCOTTER	0.75	0.75	480.00	320.00	360.00	240.00	Research on deadlines and requirements for filing reply and opposition to MSJs; emails with N. Tarasen re same.
02/18/2014	R. TRENT MCCOTTER	3.25	3.25	480.00	320.00	1,560.00	1,040.00	Began researching and drafting reply/opposition section on marriage as a fundamental right.
02/19/2014	R. TRENT MCCOTTER	8.25	8.25	480.00	320.00	3,960.00	2,640.00	Research on filing extension under Rule 6(d); emails with team re same; completed draft of reply brief section on marriage as a fundamental right; researched and completed draft of reply section on gender and sexual orientation discrimination.
02/20/2014	R. TRENT MCCOTTER	1.25	1.25	480.00	320.00	600.00	400.00	Completed writing and review of reply sections on marriage as a fundamental right and sexual orientation/gender discrimination; email to L. Harrison with draft of same.
02/22/2014	R. TRENT MCCOTTER	0.50	0.50	480.00	320.00	240.00	160.00	Reviewed draft of all sections for reply brief prepared by Jenner; emails with team re additional citations for same.
02/23/2014	R. TRENT MCCOTTER	0.25	0.25	480.00	320.00	120.00	80.00	Read emails from team re combining sections of reply brief; email to team re same.
02/24/2014	R. TRENT MCCOTTER	2.50	0.00	480.00	320.00	1,200.00	0.00	Reviewed full draft of reply in support of MSJ; added additional cites and edits to same; emails and call with team re same.
02/25/2014	R. TRENT MCCOTTER	1.00	1.00	480.00	320.00	480.00	320.00	Reviewed final draft of reply brief for MSJ; assisted in preparing same for filing; emails with N. Tarasen re same; read filed version of same.
		92.25	85.00			39,502.50	27,200.00	
02/10/2014	CHERYL L. OLSON	0.75	0.75	325.00	175.00	243.75	131.25	Cite checked brief in response to January 29 memorandum opinion.
02/11/2014	CHERYL L. OLSON	0.75	0.75	325.00	175.00	243.75	131.25	Cite checked brief in response to January 29 memorandum opinion.
02/24/2014	CHERYL L. OLSON	7.50	7.50	325.00	175.00	2,437.50	1,312.50	Cite checked memorandum in further response to court's order of January 29 and opposition to state's second motion to dismiss; plaintiffs' combined reply in support of plaintiffs' motion for summary judgment and opposition to defendants' cross-motions for summary judgment.
02/25/2014	CHERYL L. OLSON	4.50	4.50	325.00	175.00	1,462.50	787.50	Cite checked plaintiffs' combined reply in support of plaintiffs' motion for summary judgment and opposition to defendants' cross-motions for summary judgment.
		13.50	13.50			4,387.50	2,362.50	

Time Report: Jenner & Block LLP									
June 1, 2014, to present									
<i>McGee v. Cale</i> (S.D. W. Va.)									
Date	Name	Orig Hrs	Req Hrs	Orig Rate	Req Rate	Orig Amt	Req Amt	Narrative	
07/29/2014	LINDSAY C. HARRISON	1.50	1.50	655.00	655.00	982.50	982.50	Reviewed State's filing re Bostic; revised draft of opposition to stay; corresponded with co-counsel re same.	
10/06/2014	LINDSAY C. HARRISON	2.00	2.00	655.00	655.00	1,310.00	1,310.00	Analyzed results of Supreme Court cert denial; corresponded with co-counsel re: strategy.	
10/07/2014	LINDSAY C. HARRISON	4.75	4.75	655.00	655.00	3,111.25	3,111.25	Drafted proposed judgment; discussed settlement with E. Lin; corresponded with co-counsel re settlement options.	
10/08/2014	LINDSAY C. HARRISON	2.50	2.50	655.00	655.00	1,637.50	1,637.50	Worked on settlement issues.	
10/21/2014	LINDSAY C. HARRISON	0.50	0.50	655.00	655.00	327.50	327.50	Reviewed reply brief re standing issues.	
11/07/2014	LINDSAY C. HARRISON	1.00	1.00	655.00	655.00	655.00	655.00	Reviewed summary judgment decision; corresponded with team re decision.	
		12.25	12.25			8,023.75	8,023.75		
07/29/2014	NICHOLAS W. TARASEN	4.50	4.50	435.00	328.00	1,957.50	1,476.00	Draft motion to lift stay / opposition to state motion to continue stay in response to Fourth Circuit decision in Bostic.	
10/22/2014	NICHOLAS W. TARASEN	6.50	6.50	435.00	328.00	2,827.50	2,132.00	Researched, drafted and edited Reply re Motion to Vacate Stay and Enter Judgment.	
10/23/2014	NICHOLAS W. TARASEN	0.75	0.75	435.00	328.00	326.25	246.00	Made final edits to Reply re Motion to Vacate Stay and Enter Judgment.	
		11.75	11.75			5,111.25	3,854.00		
06/11/2014	PAUL M. SMITH	0.50	0.50	1,100.00	789.00	550.00	394.50	Telephone call with co-counsel re planning next steps after a CA4 ruling.	
07/29/2014	PAUL M. SMITH	0.50	0.50	1,100.00	789.00	550.00	394.50	Reviewed stay motion filed by the defendants.	
07/30/2014	PAUL M. SMITH	1.00	1.00	1,100.00	789.00	1,100.00	789.00	Edited opp to stay motion.	
10/07/2014	PAUL M. SMITH	1.00	1.00	1,100.00	789.00	1,100.00	789.00	Emailed with team about how to get judgment and form thereof.	
10/21/2014	PAUL M. SMITH	0.50	0.50	1,100.00	789.00	550.00	394.50	Reviewed filings and emailed with team re same.	
10/22/2014	PAUL M. SMITH	0.50	0.50	1,100.00	789.00	550.00	394.50	Edited draft reply supporting motion for judgment.	
10/23/2014	PAUL M. SMITH	0.50	0.50	1,100.00	789.00	550.00	394.50	Reviewed Lambda Legal edits to reply brief in support of judgment.	
		4.50	4.50			4,950.00	3,550.50		
11/11/2014	R. TRENT MCCOTTER	0.25	0.25	480.00	328.00	120.00	82.00	Research on deadline to seek attorneys fees; emails with team re same.	

Date	Name	Orig Hrs	Req Hrs	Orig Rate	Req Rate	Orig Amt	Req Amt	Narrative
11/13/2014	R. TRENT MCCOTTER	1.00	1.00	480.00	328.00	480.00	328.00	Research on extension of time for filing motion for attorneys' fees; emails with team re same; began drafting motion for attorneys' fees.
11/17/2014	R. TRENT MCCOTTER	0.25	0.25	480.00	328.00	120.00	82.00	Emails with team re status of motion for extension of time to seek attorneys fees.
11/24/2014	R. TRENT MCCOTTER	4.00	4.00	480.00	328.00	1,920.00	1,312.00	Continued drafting motion for attorneys fees; emails with team re collecting documentation in support of same.
11/25/2014	R. TRENT MCCOTTER	5.25	5.25	480.00	328.00	2,520.00	1,722.00	Continued drafting motion for attorneys fees; emails with team re collecting documentation in support of same.
		10.75	10.75			5,160.00	3,526.00	
	<u>TOTAL FOR JUNE 1, 2014, THROUGH PRESENT</u>							<u>\$18,954.25</u>